

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL P. OLANDESE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 2:20-cv-12652

HONORABLE STEPHEN J. MURPHY, III

OMNIBUS ORDER

The Commissioner of the Social Security Administration (“SSA”) denied the application of Plaintiff Michael P. Olandese for Supplemental Security Income and Disability Insurance Benefits in a decision issued by an Administrative Law Judge (“ALJ”). ECF 1. After the SSA Appeals Council declined to review the ruling, *id.* at 2, Plaintiff appealed. The Court referred the matter to Magistrate Judge Kimberly G. Altman, and the parties filed cross-motions for summary judgment. ECF 2; 12; 15. The magistrate judge issued a Report and Recommendation (“Report”) and suggested the Court grant in part Plaintiff’s motion and deny the Commissioner’s motion. ECF 17. Civil Rule 72(b) governs review of a magistrate judge’s report and recommendation. De novo review of the magistrate judge’s findings is required only if the parties “serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2). Because neither party filed objections, de novo review of the Report’s conclusions is not required. After reviewing the record,

the Court finds that the magistrate judge's conclusions are factually based and legally sound. Accordingly, the Court will adopt the Report's findings, grant in part Plaintiff's motion for summary judgment, deny the Commissioner's motion for summary judgment, and remand the case to the administrative level for further proceedings.

WHEREFORE, it is hereby **ORDERED** that the magistrate judge's Report and Recommendation [17] is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment [12] is **GRANTED IN PART**.

IT IS FURTHER ORDERED that the Commissioner's Motion for Summary Judgment [15] is **DENIED**.

IT IS FURTHER ORDERED that this case is **REMANDED**.

This is a final order that closes the case.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: February 3, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 3, 2022, by electronic and/or ordinary mail.

s/David P. Parker
Case Manager